

**IC 13-19**  
**ARTICLE 19. SOLID WASTE AND HAZARDOUS**  
**WASTE MANAGEMENT GENERALLY**

**IC 13-19-1**  
**Chapter 1. Purpose, Policy, and Goal of Statute**

**IC 13-19-1-1**  
**Policy**

Sec. 1. The policy of the state is that:

- (1) source reduction;
- (2) recycling; and
- (3) other solid waste management alternatives;

are preferred over incineration and landfill disposal as solid waste management methods.

*As added by P.L.1-1996, SEC.9.*

**IC 13-19-1-2**  
**Reduction goal**

Sec. 2. The goal of the state is to reduce the amount of solid waste incinerated and disposed of in landfills in Indiana by:

- (1) thirty-five percent (35%) before January 1, 1996; and
- (2) fifty percent (50%) before January 1, 2001;

through the application and encouragement of solid waste source reduction, recycling, and other alternatives to incineration and landfill disposal.

*As added by P.L.1-1996, SEC.9.*

**IC 13-19-1-3**  
**Differential treatment; injunctive relief**

Sec. 3. (a) The state may not impose differential treatment against solid waste involved in interstate commerce unless:

- (1) authorized by federal law;
- (2) differential treatment of solid waste in interstate commerce equalizes financial, regulatory, or enforcement burdens among:
  - (A) persons engaged in or benefitting from the interstate commerce; or
  - (B) any other group of persons; or
- (3) the differential treatment serves a legitimate state purpose that could not be served as well by reasonably available means that did not impose differential treatment.

(b) A court may enjoin a violation of this section but may not award monetary damages or attorney's fees against any of the following:

- (1) The state.
- (2) A state agency.
- (3) An officer or employee of the state.

*As added by P.L.1-1996, SEC.9.*